

OCT 28 2011

JULIA C. DUDLEY, CLERK  
BY: *[Signature]*  
DEPUTY

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

OPHELIA AZRIEL DE'LONTA, ) Civil Action No. 7:11-cv-00257  
Plaintiff, )  
)  
v. ) ORDER  
)  
GENE JOHNSON, et al., ) By: Hon. James C. Turk  
Defendants. ) Senior United States District Judge

In accordance with the written Memorandum Opinion entered this day, it is hereby

**ORDERED**

that plaintiff's Complaint is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915A(b)(1); plaintiff's motion for reconsideration to appoint counsel and motion for service are **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court. Plaintiff may refile her claims in a new and separate action at the time of her choice.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to plaintiff.

ENTER: This 28<sup>th</sup> day of October, 2011.

*James C. Turk*  
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Senior United States District Judge